

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

SEP 12 2019

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

v.

ADRIANA GRANADOS a/k/a
ADRIANA CANAS a/k/a
ADRIANA CALDERON a/k/a
ADRIANA FEDON;
(Counts 1-15)

DARREN FEDON;
(Counts 1-4)

CRIMINAL NO. 19 CR 680

UNDER SEAL MO:19-MJ-309

Count 1: Conspiracy 18 USC 371;
Count 2, 6-10: Mail Fraud 18 USC 1341;
Count 3: Immigration Fraud 18 USC 1546(a);
Count 4: False Statement Re: Alien 18 USC 1015(a);
Count 5: False Statement 18 USC 1001(a)(3);
Counts 11-15: Agg. Identity Theft 18 USC 1028(A)

INDICTMENT

THE GRAND JURY CHARGES:

At all times material to this Indictment:

COUNT ONE

(Conspiracy to Commit Mail Fraud -- 18 U.S.C. § 371)

A. INTRODUCTION

1. ADRIANA GRANADOS a/k/a ADRIANA CANAS a/k/a ADRIANA CALDERON a/k/a ADRIANA FEDON is a citizen of Columbia who currently resides in the Southern District of Texas but who previously resided in Georgia and Texas.

2. **DARREN FEDON** is a citizen of the United States of America who currently resides in the Southern District of Texas who previously resided in Georgia and Texas.

3. Prior to sometime in May 2019, **GRANADOS** was married to a non-U.S. citizen whose initial is "C." "C" was in the United States on an L1 work visa and **GRANADOS**, as C's spouse, was legally present in the United States on a dependent L2 visa.

4. The United States Citizenship and Immigration Services ("USCIS") is a government agency that oversees lawful immigration to the United States and provides the procedures for United States citizens and permanent residents to acquire permanent resident status for their immigrant spouses living in the United States and abroad.

5. To perform this function, USCIS requires persons to submit various immigration forms. These forms include:

- a. Form I-130, Petition for Alien Relative ("I-130");
- b. Form I-485, Application to Register Permanent Residence of Adjust Status ("I-485"); and
- c. Form I-864, Affidavit of Support Under Section 213A of the INA (I-864").

6. A non-citizen may seek to obtain lawful permanent resident status in the United States based upon his/her valid marriage to a United States citizen.

7. The United States citizen in such a marriage who applies for such an immigration benefit is referred to as a “petitioner.” The non-citizen in such a marriage who potentially receives the immigration benefit as a result of that marriage is referred to as the “beneficiary spouse.”

8. Form I-130. To accord the beneficiary spouse “immediate relative” status, a petitioner must file an I-130 with USCIS. In support of the I-130, among other requirements, a petitioner must submit the marriage certificate and indicate where both the petitioner and beneficiary spouse reside and intend to reside. The petitioner must also indicate in the I-130 if he/she has previously sponsored other aliens for immigration benefits.

9. Form I-485. Additionally, to adjust the beneficiary spouse’s immigration status to that of a lawful permanent resident, the beneficiary spouse must file an I-485 with USCIS. In an I-485, the beneficiary spouse must provide his/her complete marital history and criminal history, as well as residential history for the past five years. The beneficiary spouse must also indicate in the I-485 if he/she has:

- a. “ever submitted fraudulent or counterfeit documentation to any U.S. Government official to obtain or attempt to obtain any immigration benefit, including a visa or entry into the United States;”

b. “ever lied about, concealed, or misrepresented any information on an application or petition to obtain a visa, other documentation required for entry into the United State, admission to the United States, or any other kind of immigration benefit;” and

c. “ever committed a crime of any kind (even if you were not arrested, cited, charged with, or tried for that crime).”

10. Form I-864. In addition, the beneficiary spouse must also file a Form I-864 which must be signed under penalty of perjury by the petitioner (i.e., his/her United States citizen spouse), in order to establish the beneficiary spouse has adequate means of financial support and is not likely to rely on the United States government for financial support.

11. Persons submitting Forms I-130, I-485, and I-864 sign these forms under penalty of perjury and certify all of the information provided is complete, true, and correct.

12. Prior to 2018, **FEDON** was married to two non-U.S. citizens and filed at least four I-130 Petitions for Alien Relatives with USCIS.

13. From in or about 2012 to late 2015, **GRANADOS** worked for a bank in the Houston, Texas area (“Bank Employer”).

14. In or about 2013, **GRANADOS** was arrested for shoplifting in Harris County, Texas.

15. In 2016, after a background check revealed the shoplifting charge, **GRANADOS** admitted to an immigration officer that she had been arrested for shoplifting.

16. From in or about June 2018 to in or about September 2018, **GRANADOS** lived in the state of Georgia and worked at a small private college. Her duties at the college gave her access to the personal identifying information of others, including the name, address, and credit card number of the college's Chief Operating Officer, whose initials are "GW."

17. On or about April 17, 2019, **GRANADOS** was indicted by a federal grand jury in Houston, Texas for embezzling from her former Bank Employer.

18. On or about May 15, 2019, **GRANADOS** made her initial appearance before a United States Magistrate Judge on the embezzlement charge. At the hearing, and a few days later in pleadings, **GRANADOS** told the Magistrate Judge she needed permission to travel because she was a single parent with a newborn and needed help from a female friend who lived out of state. In reality, **GRANADOS** was planning to travel out of state with her mother to meet and marry **FEDON**.

19. On or about May 28, 2019, the United States Department of State revoked **GRANADOS'** L2 visa and she no longer had any legal status in the United States.

20. On or about May 29, 2019, **GRANADOS** and **FEDON** fraudulently obtained a marriage license in Bryan County, Georgia. On the application for the license, **GRANADOS** made the knowingly false statement that she had never been married before, writing in "0" for number of prior marriages. It is a felony criminal offense in the state of Georgia to make a false statement on a government document.

21. On or about June 3, 2019, **GRANADOS** and **FEDON** were married in Georgia using the fraudulently obtained marriage license.

22. On or about July 3, 2019, **FEDON** mailed falsified immigration documents, including an I-130 Petition for Alien spouse and an I-485 to USCIS. The forms contained various false statements including on the I-485 that **GRANADOS** had never committed or been charged with a crime and on the I-130 that **FEDON** had not sponsored other aliens. The documents were rejected and returned by USCIS for incorrect payment.

23. On or about July 31, 2019, **GRANADOS** pleaded guilty to the federal felony of embezzling from her former Bank employer. At the hearing, **GRANADOS** provided an "OBD 500-Statement of Financial Affairs," signed under penalty of perjury, to the United States Justice Department. On the form, **GRANADOS** falsely stated where she had previously lived and worked, specifically omitting that she lived and worked in the state of Georgia in 2018.

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24. On or about August 8, 2019, **FEDON** re-mailed the falsified immigration documents at a post office in the Southern District of Texas.

25. On or about August 21, 2019, **FEDON** admitted to a federal agent that he knew **GRANADOS** lied on the Georgia marriage license application.

B. THE CONSPIRACY

From in or about May 2019, through in or about August 2019, in the Houston Division of the Southern District of Texas and elsewhere,

**ADRIANA GRANADOS a/k/a ADRIANA CANAS a/k/a
ADRIANA CALDERON a/k/a ADRIANA FEDON
and
DARREN FEDON**

defendants herein, did knowingly combine, conspire, confederate, and agree with others known and unknown to commit the following offense against the United States, that is: to knowingly and willfully, in violation of Title 18, United States Code, Section 1341, execute and attempt to execute a scheme and artifice to defraud United States Citizenship and Immigration Services and obtain immigration benefits by means of false and fraudulent pretenses, representations, and promises and for the purpose of executing and attempting to execute the above described scheme and artifice to defraud, by knowingly placing in a United States Postal Service post office and United States Postal Service authorized depository for mail, to be sent and delivered to United States Citizenship and Immigration

Services, falsified I-130 and I-485 forms signed under penalty of perjury, in violation of Title 18, United States Code, Section 1341.

C. MANNER AND MEANS OF THE CONSPIRACY

26. The defendants sought to accomplish the purpose of the conspiracy by the following manner and means, among other things:

a. Lying on a marriage license application to obtain a marriage license from the State of Georgia; and

b. Making false statements on immigration forms and mailing them to USCIS in order to obtain immigration benefits.

D. ACTS IN FURTHERANCE OF THE CONSPIRACY

To achieve the purpose of the conspiracy, the defendants, in the Southern District of Texas and elsewhere, committed and caused to be committed the following acts in furtherance of the conspiracy:

27. On or about May 29, 2019, **GRANADOS** wrote "0" for the number of prior marriages on a marriage license application.

28. On or about July 3, 2019, **FEDON** completed an I-130 Form falsely claiming that he had not previously sponsored any other aliens.

29. On or about July 3, 2019, **GRANADOS** completed an I-485 Form falsely claiming that she had never committed or been charged with a crime.

30. On or about August 8, 2019, **FEDON** mailed the false and fraudulent marriage license, I-30, and I-485 to USCIS from a post office in the Southern District of Texas.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO
(Mail Fraud -- 18 U.S.C. § 1341)

On or about August 8, 2019, in the Southern District of Texas and elsewhere, the defendants,

ADRIANA GRANADOS a/k/a ADRIANA CANAS a/k/a
ADRIANA CALDERON a/k/a ADRIANA FEDON
and
DARREN FEDON

aiding and abetting each other, with the intent to defraud, devised and willfully participated in, with knowledge of its fraudulent manner, the scheme and artifice to defraud and obtain immigration benefits described in Count One by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing and attempting to execute a scheme and artifice to defraud and obtain immigration benefits, knowingly placed in a United States Postal Service post office and United States Postal Service authorized depository for mail, to be sent and delivered to United States Citizenship and Immigration Services, falsified documents including I-130 and I-485 forms signed under penalty of perjury.

COUNT THREE

(Immigration Fraud—False and Fraudulent Statements in Immigration Documents -- 18 U.S.C. § 1546(a))

31. Paragraphs 1 – 30 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

32. From in or about May 2019 through in or about August 2019, in the Houston Division of the Southern District of Texas and elsewhere, the defendants,

**ADRIANA GRANADOS a/k/a ADRIANA CANAS a/k/a
ADRIANA CALDERON a/k/a ADRIANA FEDON
and
DARREN FEDON**

aiding and abetting each other, did knowingly present and make under oath and subscribe as true under penalty of perjury under 28 U.S.C. Sec. 1746, a false statement with respect to a material fact in an application, affidavit and document required by the immigration laws and regulations prescribed thereunder, in that:

Defendants answered “no” to the following questions under oath and penalty of perjury:

- a. Have you ever submitted fraudulent or counterfeit documentation to any U.S. Government official to obtain or attempt to obtain any immigration benefit, including a visa or entry into the United States;
- b. Have you ever lied about, concealed, or misrepresented any information on an application or petition to obtain a visa, other documentation

required for entry into the United States, admission to the United States or any other kind of immigration benefit; and

c. Have you ever committed a crime of any kind (even if you were not arrested, cited charged with, or tried for that crime);

d. Have you ever filed a petition for this beneficiary or any other alien?

All in violation of 18 U.S.C. § 1546(a).

COUNT FOUR

**(False Statements Under Oath in Matters Relating to Registry of Aliens --
18 U.S.C. § 1015(a))**

33. Paragraphs 1 – 30 of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

34. On or about the dates set forth below, in the Southern District of Texas and elsewhere, the defendants,

**ADRIANA GRANADOS a/k/a ADRIANA CANAS a/k/a
ADRIANA CALDERON a/k/a ADRIANA FEDON
and
DARREN FEDON**

aiding and abetting each other, did knowingly make a false statement under oath, as set forth below, which relate to, and are under a law of the United States relating to, the registry of aliens.

DATE	DESCRIPTION
Submitted by mail August 8, 2019	I-130: false statement that FEDON had not previously sponsored other aliens; I-485: false statement that GRANADOS had not committed or been charged with a crime.

All in violation of Title 18, United States Code, Section 1015(a).

COUNT FIVE
(False Statement -- 18 U.S.C. § 1001(a)(3))

35. Paragraphs 1 – 30 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

36. On or about July 31, 2019, in the Houston Division of the Southern District of Texas and elsewhere, in a matter within the jurisdiction of the executive branch of the Government of the United States, that is the Department of Justice, the defendant,

ADRIANA GRANADOS a/k/a ADRIANA CANAS
a/k/a ADRIANA CALDERON a/k/a ADRIANA FEDON

knowingly and willfully made and used a materially false writing or document, namely, by submitting a Financial Statement falsely stating all previous employment within the past five years and all previous residences within the past ten years, specifically and intentionally omitting that she lived and worked in the state of Georgia during 2018.

All in violation of Title 18, United States Code, Section 1001(a)(3)

COUNTS SIX - TEN
(Mail Fraud -- 18 U.S.C. § 1341)

37. Paragraphs 1- 30 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

38. Amazon.com, Inc. ("Amazon") was a corporation that supplied merchandise to customers through internet purchases and shipped this merchandise to its customers using the United States Postal Service, the United Parcel Service ("UPS"), and other private and commercial carriers.

39. Amazon customers created accounts using an email address and a delivery address. Orders of Amazon's products were placed using Amazon's website. The customer paid Amazon when the order was placed using a credit card, debit card, gift card, or other form of online payment.

40. **GRANADOS** was a customer of Amazon, who created an account with Amazon to order a variety of merchandise.

41. The term "access device" was defined as any card, code, account number, or other means of account access that can be used to obtain money, goods, services, or any other thing of value.

42. The term "unauthorized access device" was defined as any access device that is stolen or obtained with intent to defraud.

43. Between on or about August 16, 2018, and on or about September 25, 2018, in the Southern District of Texas and elsewhere, the defendant,

**ADRIANA GRANADOS a/k/a ADRIANA CANAS
a/k/a ADRIANA CALDERON a/k/a ADRIANA FEDON**

did knowingly and willfully devise, and intend to devise, a scheme to defraud and for obtaining money and property by means of material false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme, did cause mail to be delivered by the United States Postal service and by a private and commercial interstate carrier.

44. It was part of the scheme to defraud that:

- a. **GRANADOS** created an Amazon account.
- b. **GRANADOS** used the account to order merchandise through Amazon's website.
- c. **GRANADOS** used, without lawful authority, the name, billing address, and credit card number of others to purchase merchandise from Amazon and concealed her identity by having the merchandise mailed to her in the Southern District of Texas in the name of her minor child.

45. On or about the following dates, for the purpose of executing the scheme to defraud, the defendant,

**ADRIANA GRANADOS a/k/a ADRIANA CANAS a/k/a
ADRIANA CALDERON a/k/a ADRIANA FEDON**

knowingly did cause mail to be delivered by a private and commercial interstate carrier as set forth below:

COUNT	DATE	DESCRIPTION
6	September 20, 2018	Merchandise mailed to the Southern District of Texas
7	September 20, 2018	Merchandise mailed to the Southern District of Texas
8	September 22, 2018	Merchandise mailed to the Southern District of Texas
9	September 25, 2018	Merchandise mailed to the Southern District of Texas
10	September 25, 2018	Merchandise mailed to the Southern District of Texas

All in violation of Title 18, United States Code, Sections 1341.

COUNTS ELEVEN - FIFTEEN
(Aggravated Identity Theft -- 18 U.S.C. § 1028A)

46. Between on or about August 16, 2018, and on or about September 25, 2018, in the Southern District of Texas and elsewhere, the defendant,

ADRIANA GRANADOS a/k/a ADRIANA CANAS
a/k/a ADRIANA CALDERON a/k/a ADRIANA FEDON

did knowingly transfer, possess, and use the means of identification of another person, without lawful authority, during and in relation to the offense of mail fraud, as charged in Counts 6 - 10 of this Indictment, knowing that the means of identification belonged to an actual person, identified by the initials listed in each count below.

COUNT	DATE	NAME
11	September 20, 2018	GW
12	September 20, 2018	GW
13	September 22, 2018	GW
14	September 25, 2018	GW
15	September 25, 2018	GW

All in violation of Title 18, United States Code, Sections 1028A.

NOTICE OF CRIMINAL FORFEITURE
(18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. § 2461(c))

Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and title 28, United States Code, Section 2461(c), the United States gives notice to defendants,

ADRIANA GRANADOS a/k/a ADRIANA CANAS a/k/a
ADRIANA CALDERON a/k/a ADRIANA FEDON
and
DARREN FEDON

that in the event of conviction of an offense in violation of Title 18, United States Code, Section 1341 or 371 as charged in this Indictment, all property, real or personal, which constitutes or is derived from proceeds traceable to such violations is subject to forfeiture.

NOTICE OF CRIMINAL FORFEITURE
(18 U.S.C. § 982(a)(6))

Pursuant to Title 18, United States Code, Section 982(a)(6), the United States gives notice to defendants,

ADRIANA GRANADOS a/k/a ADRIANA CANAS a/k/a
ADRIANA CALDERON a/k/a ADRIANA FEDON
and
DARREN FEDON

that in the event of conviction of a violation of Title 18, United States Code, Section 1546 as charged in this Indictment, the following is subject to forfeiture:

- (1) all conveyances, including vessels, vehicles, and aircraft, used in the commission of the offense(s);
- (2) all real and personal property that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense, and
- (3) all real and personal property that is used to facilitate, or is intended to be used to facilitate, the commission of the offense(s).

MONEY JUDGMENT

The United States may seek the imposition of a money judgment.

SUBSTITUTE ASSETS

In the event that a condition listed in Title 21, United States Code, Section 853(p) exists, the United States will seek to forfeit any other property of the defendant in substitution.

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A TRUE BILL:

Original Signature on File

FOREPERSON OF THE GRAND JURY

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